

## **REMARKS**

Claims 1-13 are withdrawn, and claims 14-54 are pending. The Applicant respectfully requests consideration of the following remarks.

### **Examiner Interview**

The undersigned Attorney would like to thank the above referenced Examiner for the telephone interview dated May 31, 2007, during which, the above amendments were discussed. In particular, amendments were discussed to recite that the media access server and the media access client may be implemented as modules that are executable on a single computer. The Examiner provisionally agreed with the amendment, but indicated that a search would need to be updated. The Applicant would like to thank the Examiner for her time.

### **Claim Objections**

Claim 43 has been amended as required by the Examiner.

### **§ 101 Rejection**

Claims 52-54 stand rejected under 35 U.S.C. § 101 as being non-statutory. Claim 52 has been amended to recite a tangible medium, therefore withdrawal of the rejection is respectfully requested.

### **§ 102(e) Rejection**

Claims 14-54 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2005/0210101 to Janik (hereinafter “Janik”). The Applicant respectfully traverses the rejection.

**Janik** describes a system and method for providing content, management and interactivity for client devices. Digital data based on user specified preferences is automatically obtained and transferred from a wide area network to a media server computer. A system control application provides streaming media services to stream-playing client media player devices, and provides digital media file synchronization services to client storage devices, via a local area network.

**Claim 14** has been amended, and as amended (portions of the amendment appear in bold/*italics* below) recites a method comprising

- receiving a request for media data at a media access server from a media access client *configured as a module executable on a computer, wherein the media access server is a module that is also executable on the computer to provide a media selection mechanism to a plurality of said media access clients;*
- identifying one or more stored media items *by the media access server;*
- identifying one or more stored media lists *by the media access server;* and

- providing information regarding the one or more stored media items and the one or more stored media lists *by the media access server* to the media access client.

Support for the amendment may be found through the specification and drawings as filed, an example of which may be found in FIG. 1 and corresponding discussion at page 4, line 18 to page 5, line 12. It is respectfully submitted that Janik does not disclose, teach or suggest these aspects. As detailed in the Interview Summary, Janik shows an internet environment having a plurality of devices, whereas Claim 14 as amended recites modules that are executed on a single device.

As recited in the subject Application, “The media items stored on a particular computer system may be accessed by different application programs. If each application program uses a different media selection mechanism, it may be tedious for the user to learn several different media selection mechanisms. Using different media selection mechanisms to access the same media data is inefficient from a computing standpoint.” *See subject Application, Page 1.* “Thus, rather than providing a separate media access server for each application or component in a computing system that handles media items, a single media access server provides the necessary server functions for any number of media access clients.” *See subject Application, Page 6, Lines 5-8.* Janik, however, is drawn communication of digital data from a system control application to client devices and does not disclose these features. Withdrawal of the rejection is respectfully requested.

Claims 15-27 depend either directly or indirectly from claim 14 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 14. These claims are also allowable for their own recited features which, in combination with those recited in claim 14 are neither shown nor suggested in the references of record, either singly or in combination with one another. Withdrawal of the rejection is respectfully requested.

Claim 28 has been amended, and as amended (portions of the amendment appear in bold/italics below) recites a method comprising *in a computer that includes a media access server, a media access client and a user interface generator that are each implemented as one or more modules that are executable on the computer:*

- generating a request for media data *at the media access client;*
- receiving information regarding one or more media items *by the media access client from the media access server in response to the request, wherein the media access server includes a media selection to provide the information regarding the one or more media items to a plurality of said media access clients;*
- receiving information regarding one or more media devices *by the media access client from the media access server, wherein the media selection mechanism of the media access server is*

*configured to provide information regarding the one or more media devices to a plurality of said media access clients;*

- categorizing the information regarding the one or more media items and the one or more media devices *by the media access client*; and
- generating a user interface containing the categorized information *by the user interface generator*.

Support for the amendment may be found through the specification and drawings as filed, an example of which may be found in FIG. 1 and corresponding discussion at page 4, line 18 to page 5, line 12. As previously described in relation to claim 14, it is respectfully submitted that Janik does not disclose, teach or suggest these aspects. Withdrawal of the rejection is respectfully requested.

**Claims 29-37** depend either directly or indirectly from claim 28 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 28. These claims are also allowable for their own recited features which, in combination with those recited in claim 28 are neither shown nor suggested in the references of record, either singly or in combination with one another. Withdrawal of the rejection is respectfully requested.

**Claim 38** has been amended, and as amended (portions of the amendment appear in bold/italics below) recites a method comprising *in a computer that includes a media access server and a media access client that are each implemented as one or more modules that are executable on the computer, wherein the media access server is executable to provide a media selection mechanism to a plurality of said media access clients that includes:*

- receiving a request for media data *at the media access server* from *the* media access client;
- identifying one or more media items stored in a media database;
- identifying one or more media lists stored in a media database;
- identifying one or more media devices; and
- providing information regarding the one or more media items, the one or more media lists, and the one or more stored media devices to the media access client.

Support for the amendment may be found through the specification and drawings as filed, an example of which may be found in FIG. 1 and corresponding discussion at page 4, line 18 to page 5, line 12. As previously described in relation to claim 14, it is respectfully submitted that Janik does not disclose, teach or suggest these aspects. Withdrawal of the rejection is respectfully requested.

**Claims 39-41** depend either directly or indirectly from claim 38 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 38.

These claims are also allowable for their own recited features which, in combination with those recited in claim 38 are neither shown nor suggested in the references of record, either singly or in combination with one another. Withdrawal of the rejection is respectfully requested.

Claim 42 has been amended, and as amended (portions of the amendment appear in bold/italics below) recites an apparatus comprising:

- a media access server *implemented as one or more executable modules*;
- a media database coupled to the media access server;
- a first media device coupled to the media access server;
- a first media access client *implemented as one or more executable modules and* coupled to the media access server; and
- a second media access client *implemented as one or more executable modules and* coupled to the media access server, wherein the media access server identifies media items stored in the media database and provides information regarding the identified media items and the first media device to the first media access client and the second media access client.

Support for the amendment may be found through the specification and drawings as filed, an example of which may be found in FIG. 1 and corresponding discussion at page 4, line 18 to page 5, line 12. As previously described in relation

to claim 14, it is respectfully submitted that Janik does not disclose, teach or suggest these aspects. Withdrawal of the rejection is respectfully requested.

**Claims 42-46** depend either directly or indirectly from claim 41 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 41. These claims are also allowable for their own recited features which, in combination with those recited in claim 41 are neither shown nor suggested in the references of record, either singly or in combination with one another. Withdrawal of the rejection is respectfully requested.

**Claim 47** recites an apparatus comprising:

- means for identifying at least one media item, at least one media list, and at least one media device;
- means for storing information regarding the at least one media item, the at least one media list, and the at least one media device;
- means for providing information regarding the at least one media item, the at least one media list, and the at least one media device to a requesting media access client;
- wherein the means for identifying at least one media item, at least one media list, and at least one media device further performs media-related operations for the requesting media access client.

In this instance, because “means plus function” language is used, it is respectfully submitted that Janik does not teach or suggest these aspects.



As previously described, the subject Application recites that “The media items stored on a particular computer system may be accessed by different application programs. If each application program uses a different media selection mechanism, it may be tedious for the user to learn several different media selection mechanisms. Using different media selection mechanisms to access the same media data is inefficient from a computing standpoint.” *See subject Application, Page 1.* “Thus, rather than providing a separate media access server for each application or component in a computing system that handles media items, a single media access server provides the necessary server functions for any number of media access clients.” *See subject Application, Page 6, Lines 5-8.* Janik, however, is drawn communication of digital data from a system control application to client devices and does not disclose these features. Withdrawal of the rejection is respectfully requested.

**Claims 48-51** depend either directly or indirectly from claim 47 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 47. These claims are also allowable for their own recited features which, in combination with those recited in claim 47 are neither shown nor suggested in the references of record, either singly or in combination with one another. Withdrawal of the rejection is respectfully requested.

**Claim 52** has been amended, and as amended (portions of the amendment appear in bold/italics below) recites one or more computer-readable media *that*

*are tangible and that have* stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

- receive a request for media data from a media access client *that is implemented as one or more executable modules that are executable on the one or more processors;*
- identify one or more stored audio files;
- identify one or more stored media lists;
- identify one or more media devices; and
- provide information regarding the one or more stored audio files, the one or more stored media lists, and the one or more media devices to the media access client.

Support for the amendment may be found through the specification and drawings as filed, an example of which may be found in FIG. 1 and corresponding discussion at page 4, line 18 to page 5, line 12. As previously described in relation to claim 14, it is respectfully submitted that Janik does not disclose, teach or suggest these aspects. Withdrawal of the rejection is respectfully requested.

**Claims 53-54** depend either directly or indirectly from claim 52 and are allowable as depending from an allowable base claim. Each of the dependent claims is allowable based on the same rationale discussed with respect to claim 52. These claims are also allowable for their own recited features which, in combination with those recited in claim 52 are neither shown nor suggested in the

references of record, either singly or in combination with one another.  
Withdrawal of the rejection is respectfully requested.

**Conclusion**

The Application is in a condition for allowance. The Applicant respectfully requests reconsideration and issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is requested to contact the undersigned attorney to discuss the unresolved issue.

Respectfully submitted,

Dated July 10, 2007

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